

# Materiality and Community in the Mixteca

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**Abstract:** Observers have long lamented the fractured political terrain of rural Central Mexico. Oaxaca, for example, has about 4 % of the country's population but almost 25 % of its municipalities. The fissioning that occurred in the 19<sup>th</sup> and 20<sup>th</sup> centuries was predated by a construction boom. Churches, parish houses, cemeteries and, later on, schools and communal buildings were built at an unprecedented rate. These efforts were often understood by outsiders as expression of faith or of a desire for progress. This chapter suggests that insiders viewed the construction – and occasional destruction – of buildings as contentious social and political claims.

**Keywords:** church construction; social and political claims; Mixteca; Mexico; 19<sup>th</sup> - 20<sup>th</sup> centuries.

**Resumen:** Mucho tiempo se ha lamentado el terreno político fracturado del Centro de México rural. Oaxaca, por ejemplo, cuenta con el 4 % de la población del país pero más de 25 % de sus municipalidades. La fisura que ocurrió en el siglo diecinueve y veinte fue anticipada por un auge constructivo. Iglesias, parroquias, cementerios y más tarde, escuelas y casas comunales fueron construidos a un ritmo sin precedente. Estos esfuerzos fueron entendidos por gente externa muchas veces como de una expresión de creencia o de un deseo por el progreso. Esta contribución sugiere que la gente misma vio las construcciones y ocasionalmente las destrucciones de edificios más bien como contenciosos reclamos sociales y políticos.

**Palabras clave:** construcción de iglesias; reclamos políticos y sociales, Mixteca, México, siglos IX - XX.

## Introduction

In the late 1870s people began building a new church in Santiago Nuyoo, a small, Mixtec-speaking community in the Southern Mexican state of Oaxaca. Their goal was to replace an earlier adobe church with one that would have walls of stone, brick and mortar, and construct a vaulted ceiling for it instead of putting on a thatch roof. According to oral history the women of the town, early in the morning, before beginning their usual daily labors, would go down to the river banks and fill baskets with sand. It was still dark, and they would have to lug the baskets up a canyon to the work site. They each made two exhausting trips so that the builders would have enough sand for the day's work. An architect, stone masons and skilled carpenters led the project. People in the town performed the manual labor, and raised the cash needed to pay the salaries of the men brought in from the outside. During the church construction Nuyootecos

liquidated a great deal of collectively held assets; the *mayordomos* contributed 1,818 pesos between 1879 and 1883 by selling animals owned by the *Cofradía del Rosario* and draining the cash held the wooden chests where each *mayordomía* stored its valuables.<sup>1</sup>

The Nuyootecos were not the only ones who built a church in the region in the 1800s. In fact, over one hundred churches were constructed in rural settlements of the Mixteca in the fifty years between 1830 and 1880. This went on despite a series of armed conflicts that wracked Mexico beginning in the 1850s, and that crippled the region's economy. Not all of these churches were built on the grand scale of the Nuyooteco church, and the people in smaller settlements generally lacked the resources to use anything other than traditional materials like adobe and thatch. However, there were many that were like the Nuyoo church, in that they represented an enormous investment of labor and resources by townspeople. When asked to evaluate the cost of these constructions, towns reported that the church was worth many times the value of all other public constructions – municipal buildings, jails, schools – added together. For example, the people from Miltepec, in Huajuapán, reported spending 2,000 pesos on their church, completed in 1846, compared to 123 pesos on the municipal offices, jail, cemetery and the rectory they constructed between 1861 and 1882. The people of Sabanillo reported that the chapel they built in 1876 cost 800 pesos, while the municipal building, jail, and cemetery together were worth 38 pesos (*Memoria Constitucional* 1883: 4-17). To give an added sense of the scale of the investment, at the time they built their church, all the land of Sabanillo was worth 2,000 pesos.<sup>2</sup>

What was driving this extensive and expensive program of church construction? There is no single answer. It was, first and foremost, an act of piety. It also takes place during a time when Liberal and Conservatives were competing for power, and church construction can be seen as one of a number of popular expressions of support for the Catholic Church. But if these were the sole explanations, one would expect the distribution of church construction to be fairly uniform across the Mixteca. It was not. Of the 118 churches and chapels built in the fifty year period between 1830 and 1880, 96 of them went up in just two districts: Silacayoapan and Huajuapán. In the districts bordering these two, Tlaxiaco, where Nuyoo is located, saw 12 churches built, five were built in Teposcolula, four in Juxtlahuaca, one in Coixtlahuaca, and none in Nochixtlán.<sup>3</sup>

1 “Todo lo que se paga por los albañiles que van a fabricar el templo del presente pueblo” (dated January 19, 1880, but accounts run from 1879 to 1883) (Archivo del Maestro Eliazar Perez, Santiago Nuyoo).

2 The price is mentioned in a report by Fernando Mancilla to the Agrarian Delegate in 1937 (Archivo del Registro Agrario Nacional, Delegación Oaxaca, San Jose Sabanillo, 23/252).

3 *Memoria Constitucional* (1883). The information on the Huajuapán district is supplemented by: *Noticia de los edificios públicos que tiene cada poblado, hacienda y rancho con expresión de materia en que están construido y época de su fundación*, July 20, 1897 (Archivo General del Estado de Oaxaca, Gobierno de los Distritos, Huajuapán, Leg. 55 exp. 2).

When examining the distribution of new churches erected in the 19<sup>th</sup> century Mixteca one can hold constant a number of factors that one might think would be important in explaining the phenomenon. Although the makeup of the districts changed somewhat over the course of the 19<sup>th</sup> century, the number of towns and hamlets in these places stayed pretty much the same, so the large number of churches built in 19<sup>th</sup> century Huajuapán and Silacayoapan was not simply because there were more settlements in these districts. Also towns outside district capitals in the Mixteca were mostly indigenous, catholic, and made up of farmers. This is not to say that populations were completely homogeneous, but when comparing one district to another one really can't pinpoint any major divergence in ethnicity, occupation or religious affiliation that might explain the differences in church construction. One could reasonably argue that there some historical developments that distinguish districts from one another and that might account for at least some of the difference in church construction. Coixtlahuaca, Teposcolula, and Nochistlán were early centers of evangelization, and some splendid colonial churches were built around the colonial administrative centers of these districts in the sixteenth through eighteenth centuries. There was therefore no need, in some cases, to upgrade adobe and thatch church buildings with ones constructed by skilled architects and masons. However, this explanation can only be taken so far. In the coastal region of the Mixteca, many of the indigenous communities that were even more distant from early colonial centers of evangelization continued to use their old adobe and thatch churches in the 19<sup>th</sup> century without feeling the need to invest the time, effort and resources in building new places of worship like the one that went up in Nuyoo.

Another explanation for the high number of new churches built in Huajuapán and Silacayoapan is the earthquake that struck the region in 1864 and toppled at least some towns' churches. Such was the case of Yodoyuxi, in Huajuapán, whose people began rebuilding their church in 1865. But again, this is only a partial explanation for sub regional differences in church construction. If we remove from the calculations all the churches begun five years after 1864 (twelve in Huajuapán, one in Silacayoapan) the large differences in church building between districts remains. Clearly, something is happening in Silacayoapan and Huajuapán at this time that is not happening in the other districts. To come to a more complete understanding of why churches were being built where they were in the 19<sup>th</sup> century Mixteca, it will be important, as the editor to this volume proposes, to examine how they "are embedded within a process of communication that shapes and reshapes their meaning"<sup>4</sup> and the specific local reasons why at this point in time people in Huajuapán and Silacayoapan were so intent on altering their landscape by creating newly powerful buildings.

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4 Graña-Behrens in this volume, page 9.

### 19<sup>th</sup> century churches and the materialization of interests

In the 19<sup>th</sup> century, as is largely true today, local settlements were responsible for the building and maintenance of their churches; to put this another way, churches in the Mixteca were built by communities, and part of what people were therefore doing when they put up a new church was saying something about themselves and the town or hamlet where they lived. The idea that the community is inseparably linked to its church is an old one in Mexico – Hamman (2011: 60-61, 465-484), for example discusses how, in the infamous Inquisition trial of Yanhuitlán, held in the 1540s, testimony on the state of the church – its lack of upkeep and ornaments – was taken as direct evidence of the moral state of the Yanhuitlán leaders who were on trial. Due to their size, visibility and permanence, the churches built in the 19<sup>th</sup> century were particularly effective in materializing communities.<sup>5</sup> Even today, a century and a half later, these churches remain the biggest and most impressive buildings in most towns. During the Mexican revolution, when towns were constantly besieged, local people would barricade the plaza and use the church as a final bastion. Zapata's insurgents sometimes made incursions from Guerrero into Western Oaxaca and Southern Puebla but even when his forces numbered in the many hundreds of men, they had a great deal of difficulty taking fortified churches since they lacked artillery and they were not able to maintain the long siege necessary to starve out the defenders.

In the case of Nuyoo, the building of the church occurred soon after the miraculous appearance of a saint, named Misericordia, on December 8, 1873 in the doorway of the old church. December 8 is the feast of the Virgin de la Concepción, which just happens to be the patron Saint of Nuyoo's hated rival, Santa Maria Yucuhiti. Yucuhiti center is just a short walk from Nuyoo center and the two have been at loggerheads since colonial times. Patronal *fiestas* are occasions for feasting, and they attract large crowds who come for the ceremonies and to shop in the market which is held at the same time. The people of Yucuhiti, who to this day are openly skeptical about the miraculous arrival of Misericordia, saw it as an attempt by Nuyootecos to steal a major regional feast from them. Some even hold that Nuyooteco leaders went out and bought the saint and it was them who placed it in the doorway of the old church for an unsuspecting sexton to find it on his way to ring the church bell for matins. Sometime between the 1790s and 1840s the people of Yucuhiti had moved their center from a location some five or six kilometers from Nuyoo center near the border between the two communities (Monaghan 1995: 270-275). They themselves finished building a fairly impressive church in 1844 that cost as much as the Nuyoo church (Memoria Constitucional 1883: 4-56). Locating settle-

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5 This is a general point made for landscapes by Earle (2001).

ments along borders to prevent encroachment on one's territory is a longstanding tactic in the Mixteca, designed to make it easier to monitor adjacent enemy communities.

The Nuyootecho church was meant to be the equal, if not a grander affair than the 1844 Yucuhiti Church. When it was completed, with Misericordia enshrined inside, it immediately began to draw pilgrims. A Dominican friar, Bernardo Lopez, sought to defuse things between Nuyoo and Yucuhiti by persuading Nuyootechos to celebrate the feast of Misericordia on the First Friday of Lent, rather than on the day of Yucuhiti's patronal feast (the *mayordomo* of Misericordia continues to celebrate a small fiesta on December 8 to this day [Monaghan 1995: 273-275]). First Friday in Nuyoo soon became one of the major fiestas in the region. While Lopez' intervention resolved the issue raised by competing fiestas, tensions continued to simmer. On three occasions between 1872 and 1876 Yucuhiti was raided by government troops (Monaghan 1990: 368-369, 375-377). Many men were taken away in a forced levy, houses were burned, and the 1844 church was looted and set on fire. It is not completely clear what role Nuyootechos played in these raids, but oral history and some documentary evidence indicate that Nuyootecho were active participants. A bell from the Yucuhiti church was carried off and set in the chapel of a Nuyoo hamlet. So just as Nuyootechos began building their church and claiming the status of a miraculous site, that of their rival was conveniently destroyed. Following this the people of Yucuhiti began to rebuild, moving their village center a bit better protected site further to the north, but still near enough to the border so they could keep a close eye on Nuyoo.

The construction of a church like the one the Nuyootechos had built in the 19<sup>th</sup> century thus gave form to interests, provoked claims and counterclaims, and created, for Nuyoo, a kind of distinction, which would give them a leg up in their ongoing struggle with Yucuhiti. The moves and countermoves by which people in the two towns seek to position themselves by building things continues today, although it has other landscape-altering expressions. To give one example, in the 1970s, a road was being built through the region. According to people in Yucuhiti, the initial design for the road project, which was funded with state and federal money with local people doing much of the labor, was radically, and secretly, altered. Instead of coming directly from the town of Ocoatepec, which had a road connection to the main highway, through Yucuhiti territory and then down to Yucuhiti center with a trunk road onto Nuyoo center, it instead was rerouted, so that it made a circuitous detour through Nuyoo. Looking at the differences between the existing road and the one that everyone said had been initially planned, including people from Nuyoo, one can see the new plan added many kilometers to the project. Moreover, the actual road was designed so that it did not enter Yucuhiti territory at all. Instead it climbed a hill and passed through the isolated Nuyoo hamlet of Yosonicaje (where the bell from Yucuhiti is). After crossing Yosonicaje

it then descended the side of a mountain in a hair-raising series of switchbacks, and then into Nuyoo center. Numerous fatalities have occurred on this switchback, with several pick-up trucks and small trucks going over the edge. It was such a difficult climb for vehicles that one could make the ascent faster on foot. The switchback portion alone took years to build, and war then regularly washed out or was covered by landslides. Yet Nuyoo had managed to get a road, and exclude Yucuhiti (years later a new road was built along the original route, which dramatically cut the travel time to Ocotepec).

The communication of political, economic and social messages through landscape-altering construction projects has of course been going on in the Mixteca since Precolumbian times. As one can see the scale of these different projects and the way they materialized interests not only remade the landscape, but had continuing consequences for how the Nuyootecos would relate both to their neighbors and to one another. On the one hand, because markets follow roads (when the road was being built in the 1970s and early 1980s a weekly market would be held on lots adjacent to the worksite, and were moved steadily towards Nuyoo as construction advanced) by keeping the road in Nuyoo, the Nuyootecos were able to control commerce in the area, and the Nuyoo Sunday market soon eclipsed anything held in Yucuhiti center. On the other hand the other hand the liquidation of the *mayordomía* funds and other assets to build the Nuyoo church was an important part of the process whereby fiesta sponsorship shifted from a collective to a household responsibility, which in turn led to the expansion of a system of reciprocal gift exchange (Monaghan 1990, 1996).

### **Landscapes and dematerialization**

Graña-Behrens points out how what is forgotten in social memory, and what is erased from the past, is crucial for both sustaining a particular historical memory and for understanding it.<sup>6</sup> Although my paper does not deal with memory *per se*, an analogous, materialized process is the intentional removal of elements from a landscape. Since at least the 19<sup>th</sup> century in the Mixteca the destruction of a rival's church could be a major political aim. As we saw, the Nuyootecos probably had a hand in the looting and burning of Yucuhiti's church in the 1870s, and about 50 years later men from Nuyoo overran Nopalera, Nuyoo's neighbor to the south, defacing its church and looting it of its ornaments, including an image of Saint Sebastian that is now on an altar in Nuyoo's church. Capturing a church and then destroying it was significant on several levels: it marked the end of a battle, and it 'dematerializes' a rival.

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6 Graña-Behrens in this volume.

Yet such destructive acts are an extreme response. A much more common and regular political tactic has nothing to do with destroying buildings. Rather it has to do with preventing things from being built in the first place. To choose another example from Nuyoo, this time from the 1990s, a controversy arose in the town center over the efforts of one of its hamlets (*agencias*) to establish a cemetery. This hamlet was a good two hours walk from the cemetery in Nuyoo center over mountainous terrain. Carrying a body for burial all that way was not easy, and on the face of it the cemetery looked like a reasonable idea. But there were intense feelings about the issue and it became clear that there was a lot more going on than a simple proposal to ease the burden on grieving family members by providing them with convenient access to a burial plot. People in the center understood the attempt to establish a cemetery as a ploy to change the hamlet's relationship with the center (and part of a struggle between a young leader in the hamlet and Nuyoo's established *cacique*). It was discussed in the center as part of a series of moves by the hamlet that would eventually lead to its independence. Burying ones dead together is an act of solidarity, so to begin burying your dead apart had a significance that all could understand. In the end the cemetery project did not go forward (partly through maneuvers by the *cacique* which resulted in the denial of proper permits) and the young leader was diminished by the defeat of the project. Preventing landscape modification can be as politically significant as the modification itself, so it one should be aware of what is missing in a landscape along with what is there.

### **Church construction in 19<sup>th</sup> century Huajuapán and Silacayoapan**

In Mexico, ever since the colonial period, if not before, the path to raising a settlement's political status began with the construction of a church. As it was succinctly put in the late 19<sup>th</sup> century by Manuel Martínez Gracida when discussing the situation of San Miguel Allende in Huajuapán, "once they were able to finish their church, they went to Mexico to ask for a title to be a town (*pueblo*) which they were granted in 1778" (Martínez Gracida 1883). Another case which shows how closely political status was linked to the physical building of the town church is that of San Juan Ixcaquixtla, in the Puebla portion of the Mixteca. In 1783 people from that town requested that the viceregal government may grant them the status of *pueblo*, and allow them to have a separate political existence from the ancient town of Tepeji de la Seda, of which they were a dependent. However unlike in San Miguel Allende their petition was denied in 1791. In taking their decision the viceregal authorities relied on reports they had received and that portrayed Ixcaquixtla as an undeveloped settlement, lacking the basic characteristics of a town. One particularly negative report was from a local priest, a Father Benetiz, who declared in a letter to the authorities that Ixcaquixtla had no church to speak of, which showed he said, that they were weak Christians, and explained why they are so given



over to vice. He went on to say they also lacked individuals who had the capacity for self-governing, while other reports mentioned that Ixcaquixtla was often at odds with its neighbors.<sup>7</sup>

The people of Ixcaquixtla did not give up. The first thing they did, of course, was start building a church. They also went out and purchased *ornamentos* – decorations and the sacred paraphernalia used in the cult. These included bells, linen, and vestments for the priest, a chalice, a church organ and doors with locks and keys. Twenty years after they first petitioned to raise their status the First Regidor Pedro Josef Carino and the Scribe Josef Mariano wrote again to the Viceroy to affirm that: “We have, Senor Viceroy, a most beautiful church, and even though it is not completed, due to the hard times of the recent years and the scarcity of corn, we have great hopes to finish it shortly”.<sup>8</sup>

They went on to assert they had the capacity for self-government, and if the church was not proof enough, that they paid tribute in an organized way and celebrated annual elections of officials, had built themselves a town hall and held a weekly market. They had witnesses to testify their industrious nature and tranquility. They also reported that many were learning Spanish. Finally they compared themselves to their rival Coyotepeque. Coyotepeque may be an independent pueblo, they explained, but its chapel is so tiny that not everyone can fit inside, while Ixcaquixtla, with a larger population, would soon have a church with plenty of room. They also told the viceroy that the priest who opposed the earlier petition, Father Benetiz, was not disinterested; his testimony had been influenced by Coyotepeque, whose people built him a new rectory in 1783.<sup>9</sup>

While the struggle between political entities of the same status to grow at the expense of one another as illustrated in the Nuyoo-Yucuhiti and Ixcaquixtla-Coyotepeque cases is an important long-term political dynamic in rural areas of Oaxaca, Western Guerrero and Southern Puebla, an equally important dynamic in evidence in Ixcaquixtla is the struggle of subordinate settlements to achieve independence from larger political entities. As for the latter, what Nader (1990: 6-7) has written about Habsburg Spain very much holds true in the Mixteca: The real tension in this society was between municipalities, and especially between towns and their own subject villages. City and town councils usually administered their municipal territory to the advantage of their own citizens and to the disadvantage of the villagers, who resented the town’s legal authority and economic control over them.

What Nader adds is that centralized political authority, i.e., the Habsburg rulers, ceded the initiative to town formation by turning the process “into a cash transaction” (1990: 7). In other words, one could purchase a royal license to become autonomous

7 INAH Microfilm collection, Serie Puebla, Roll 46.

8 INAH Microfilm collection, Serie Puebla, Roll 46.

9 INAH Microfilm collection, Serie Puebla, Roll 46.



(as Ixcaquixtla did, once its petition was approved). This kind of decentralization of authority was not seen in negative terms; rulers took pride in the number of autonomous municipalities they created and administered (Nader 1990: 6-8).

'Municipalization' if we may call it that, has been carried out to an extreme degree in the Mixteca. The greater Mixteca has about 300 municipalities, which represent about 12 % of the total number of municipalities in Mexico. The average population size for a municipality in Mexico is about 50,000, but there are only a few municipalities in the Mixteca that have anywhere near this number of people living in them. The Mixteca in fact has the distinction of having the least populous municipalities in the entire country – with quite a few having less than a thousand people. If we go by the average size of municipalities in Mexico, the Mixteca should have about 20 of them, rather than the 300 it does have.

### **Churches and communal land in Huajuapán and Silacayoapan**

In addition to demonstrating a capacity for self-governance, the building of a church is also closely linked to territorial control and land ownership. We have already seen that churches could be located at strategic sites to prevent encroachments on community territory. But having a church could itself be key to the establishment of a communal territory. Unlike the districts of Nochixtlán, Teposcolula, and Tlaxiaco, Huajuapán and Silacayoapan stand out because the land holding villages of the type once described by Wolf as 'closed corporate communities' – that is communities that had a legal title to a common property (although plots within the territory may have been individually owned, and bought and sold among community members) – were rare in the first part of the 19<sup>th</sup> century. Instead the kind of land-holding arrangement that dominated the area (and this was true of parts of the Mixteca Poblana, the districts of Acatlán and Tepeji, and some of Juxtlahuaca and the Coast) was the entailed estate of the native nobility, or the *cacicazgo*.

At the time of Mexican Independence, in the 1820s, there were, by my count, 71 different *cacicazgos* in the greater Mixteca (Monaghan n.d.). Some of the *cacique* families could trace their descent back to the 16<sup>th</sup> century or even earlier, and many of the pictorial manuscripts or codices that are extant were kept by these families to prove property claims. Although there is evidence that all people living in a *cacicazgo*, not just the nobles, had a claim to the land (Menegues Bornemann 2009: 92-104) it was also true that in early 19<sup>th</sup> century liberal legislation *caciques* were declared the owners of the *cacicazgo* property, so claims by those outside the noble family were usually ignored. Moreover, there were settlements that were not ancient communities with customary relations to a noble house, but were rather recently founded, something sometimes

encouraged by holders of an entailment who sought to bring people onto their property in order to increase their rental income.

Not only did many of the settlements in Huajuapán and Silacayoapan lack land, they also held an inferior political status. As late as 1883 only about one quarter of the towns in Huajuapán were independent municipalities, while about three quarters of those in Tlaxiaco were.

There were two ways settlements could come to acquire land. Beginning in the 16<sup>th</sup> century the Spanish colonial government provided recognized towns with a minimum land base, called the *fundo legal*. Although the precise definitions changed over time, the *fundo legal* was by late colonial time 600 square *varas* (a *vara* is about equivalent to a yard). This was designed to serve as a site for houses, public buildings and gardens and in small settlements would also contain farm plots. An *ejido*, which was usually larger than *fundo legal* and contained farmlands, pastures and forest land, might also be entitled by the crown. Settlements that did not have a *fundo legal* or *ejido* could petition the government for such a grant. An example is the town of Tamazola in Silacayoapan, which in 1809 was granted its *fundo legal*.<sup>10</sup> After the colony ended the policy of granting towns a *fundo legal* and/or title to *ejidos* never had been formally overturned, as far as I can tell, until towns were prohibited from holding real estate by the 1856 *ley Lerdo*. However the right to a *fundo legal* was reinstated in the 1860s during the rule of Maximilian I, so that well into the second half of the 19<sup>th</sup> century settlements in the Mixteca petitioned the government for grants of a *fundo legal* or the protection of *ejidos* despite what Liberal had to say about the matter.

To have a *fundo legal*, one needed to have a church. Not only was the church the materialization of a political status and capacity for self-governance, but the church building itself was the reference point for measuring the 600 square *varas* of the *fundo legal*. The rule was that the grant of land would be laid out by measuring 600 *varas* in each direction from the town church. If a settlement did not have a church, not only did it demonstrate incapacity for self-governance and an inferior political status, but it did not even have the appropriate symbolic landscape for a *fundo legal*.

In Huajuapán and Silacayoapan the problem many settlements faced was that their *fundo legal* had to be taken from the estate of a *cacique*, since the settlements were on land of the *cacicazgo*. Tamazola's 1809 grant of a *fundo legal* was expropriated from the *cacicazgo* of Don Francisco de Mendoza y Terrazas y Montezuma. Perhaps not surprisingly, he bitterly opposed giving it away.<sup>11</sup> For *caciques*, such an action meant both a loss of land and a loss of revenue, since *caciques* rented house sites to the people living on their *cacicazgos* or received other traditional payments in recognition of the

10 Archivo del Registro Agrario Nacional, Delegación Oaxaca, Tamazola, 23/2777.

11 Archivo General de la Nación, Ramo de Tierras 1404 exp. 8.

*cacique's* dominion (in Don Francisco's case, he claimed he would lose 100 pesos annually). Given the close connection between land ownership and the existence of a church, it is perhaps not surprising that some *caciques* tried to prevent settlements from erecting them. In 1851, for example, the people of Santa Catarina Estancia complained that their *cacica*, Doña Isabel Navarrette, had made it difficult for them to build a church, even though they claimed they were given a site for it by a third party so that it was not going to be built on her land. They did eventually manage to put up a small adobe and thatch chapel in 1855 (Memoria Constitucional 1883: 4-19). For her part, in her rental contract with them, Doña Isabel inserted a clause which reads as follows: "The renters hereby promise that they will never seek a property judgment, right of possession, claim of dispossession or any other legal action against the renter or her successors with regard to the land that they use [...]"<sup>12</sup>

It was not only *caciques* and their tenants who were suspicious of one another's motives in building a church. Non-*cacique* landowners were similarly opposed to settlements who attempted to put up public buildings. An early 20<sup>th</sup> century case involved a property called Chapultepec, on the border between Puebla and Oaxaca. Chapultepec had been purchased in 1907 by a man named Porfirio Vidals.<sup>13</sup> It had a small settlement of tenants and workers on it. In 1917, with the coming of the Revolution, the people of Chapultepec solicited a town site and *ejido* from the Agrarian Reform administration. Like the people of Ixcaquixtla they made the point that they had built themselves a church and therefore should be considered a town eligible for a grant of land. When he became aware of the petition, the landowner, Vidals, wrote to the Local Agrarian Commission for the area, telling them that no reasonable person would call Chapultepec a town; rather they were employees who had been invited in to work on his *hacienda* (at the time, people living on *haciendas* were not eligible for the program). He went on to say the church they had built was no great thing, thrown up without much labor, and was barely standing. He ends his letter with a rhetorical question: If Chapultepec was an independent town, then why they didn't build anything else besides the flimsy church, like a jail or town hall?<sup>14</sup> One of the petitioners, José Bazán Ramírez later answered Vidals' question. Chapultepec may not have a town hall, a jail or other public buildings, he wrote, because whenever the people of Chapultepec tried to build one the administrator of the estate, Quirino Crespo, ordered the project halted. Vidals, he added, even tried to stop them from repairing their chapel.<sup>15</sup>

12 Archivo Jucial de Oaxaca, Huajuapán civil leg. 53 exp. 9.

13 Archivo del Registro Agrario Nacional, Delegación Puebla, Chapultepec, 23/233.

14 Porfirio Vidals to Comisión Local Agraria, Puebla, Oct. 5, 1918 (Archivo del Registro Agrario Nacional, Delegación Puebla, Chapultepec 23/233).

15 Jose Bazan Ramirez to Comision Local Agraria, Puebla, Nov. 6, 1918 (Archivo del Registro Agrario Nacional, Delegación Puebla, Chapultepec 23/233).

While there were numerous cases of towns in Huajuapán and Silacayoapan petitioning for a *fundo legal* in the 19<sup>th</sup> century, few were successful. A much more common method for acquiring land was by simply buying it. Between 1830 and the end of the 19<sup>th</sup> century, 52 communities in Huajuapán managed to purchase what for the most part had been *cacicazgo* land, while 31 did so in Silacayoapan. This land became available as a result of legislation decreed by the Spanish Cortes in 1820 (and published in Mexico August 7, 1823) which phased out the entail. The law stated that holders of an entailment were free to dispose of up to one half of the property. The other half would go to the successor of the entailment. In the next generation, the holder of the entail was free to dispose of all the remaining property. The overall effect this had was to release a steady stream of property into the market in Huajuapán and Silacayoapan over the next 80 years, as *caciques*, their heirs and their other children steadily liquidated their holdings (although there were some *cacique* families who continued to own what had been *cacicazgo* land into the second half of the 20<sup>th</sup> century). Groups of former tenants, settlements on what had been the *cacicazgo*, and the people of nearby towns were among the most active buyers, usually pooling their money to purchase the land in the name of the group (Monaghan 1990). In Huajuapán, I have data on 40 communities that purchased land and built churches. Twelve achieved both within a ten year period, and 25 did so within a 25 year period. Only three took more than 50 years to buy property and build a church.<sup>16</sup>

### Conclusion: The land-holding village, a modernist project?

We have seen that over the course of the 19<sup>th</sup> century that the spate of church building in Huajuapán and Silacayoapan correlates with a broad transformation of the area, as it underwent both municipalization and a dramatic increase in the number of land-holding towns. It is tempting to see the process whereby formerly landless settlements built churches, acquired land and achieved town status as a kind of return to the culture area norm of indigenous people living in ethnically based, politically independent, corporate communities. Although their church was built in colonial times, the town of San Mateo Nejapan in Silacayoapan would be an illustrative example. In the early 19<sup>th</sup> century they owned no land at all.<sup>17</sup> Then in 1839 they purchased somewhere in the neighborhood of 7000 hectares from their *cacica*, Doña Isabel Mendoza. They did not take possession

16 Memoria Constitucional 1883; the information on the Huajuapán district is supplemented by: *Noticia de los edificios públicos que tiene cada poblado, haciendas y ranchos con expresión de materia en que están construido y época de su fundación*, July 20, 1897 (Archivo General del Estado de Oaxaca, Gobierno de los Distritos, Huajuapán, Leg. 55 exp. 2).

17 *Exposición que el tercer gobernador del estado hace en cumplimiento de artículo 83 de la constitución*, July 2, 1832 (INAH microfilm collection, serie Martínez Gracida, roll 11).

until 1851, presumably when they finished paying what they owed her.<sup>18</sup> About a hundred years later they received a visit from representatives of the Agrarian Reform Administration, who came to survey Nejapan. What they found that 190 heads of households in Nejapan were in possession of 6,566 hectares of land, for which a communal title was issued in 1969.<sup>19</sup>

Certainly when the Agrarian engineers and topographers arrived in the 20<sup>th</sup> century, Nejapan looked to them just like any other corporate community in rural Mexico – there is not a single mention at all in the Agrarian files of them having been tributaries of a *cacique* (*terrasgueros*) or living on a *cacicazgo*. However, I don't believe that people in places like Nejapan, were simply buying land to make themselves into a traditional place. I have struggled with what to call it, but the thing that seems to fit the situation best is call what that they were building not a traditional community, but a modern one.

Admittedly it is hard to see rural Mixtec people as undertaking a modernist project in the 19<sup>th</sup> century. In many places of the Mixteca no Spanish was spoken, people continued to till the land with traditional methods, and they were about as far away from European centers of urbanization, industrialization and intellectual life as one could be in Central and Southern Mexico. Yet premises of the ontological, political and social order were being questioned in all levels of Mexican society in the 19<sup>th</sup> century (Guardino 2005: 275-291) and as we have seen there is ample evidence that Mixtec people were debating the nature of the *cacicazgo*, the role of landlords, the Spanish and Criollo power structure, traditional privileges and many of the issues raised on a broader level by Liberal philosophers and activists.

It is equally hard to understand how the land-holding village could be an exercise in modernism. The land-holding village has been understood to have come into existence in the colonial era, not substantially altered for centuries, so that ethnologists of the region could “[...] regard the present-day Indian community as a direct descendant of the reconstructed community of the 17<sup>th</sup> century” (Wolf 1959: 214). The truth of the matter is that land-holding villages were not created in the colonial period in many areas of the Mixteca, and in the 19<sup>th</sup> century most of the ones that emerged came not through a grant bestowed from on high, but through the hard work and savings of people who pooled their money to buy the land from their *caciques* and other landowners. In places like Nejapan, people were in effect starting from scratch, and creating something that had not existed before. But how, it might be asked, is this modern? We now understand that different varieties of modernity arose in the 19<sup>th</sup> century, which, while having the West as a kind of reference point, are greatly influenced by specific cultural traditions

18 *Expediente sobre reparto de terrenos del pueblo de Nejapan, 1891* (Archivo Judicial de Oaxaca, civil Silacayoapan paquete 1).

19 *Periódico Oficial del Estado de Oaxaca* 47, Nov. 22 (1969): 534-538.

and historical experiences (Eisenstadt 2000: 2-4). As a way of concluding, I would like to suggest three areas where I think places like Nejapan became modern, in the rural Mexican context.

First, under liberalism, becoming a property owner was a mark of progress. Buying part of a *cacicazgo* and going from being a accumulation of *terrazgueros* to people who worked their own lands was transformative. For example, after buying land from the guardian of the children of Sabino Aja in 1855, the people of Asunción in Huajuapán began to call themselves not just *vecinos*, but *vecinos particulares*, or 'property-owning citizens'.<sup>20</sup>

The second way we see a local version of modernity at work in the 19<sup>th</sup> century is the way people who have bought land contrast their present situation with the way their life was on a *cacicazgo*. Although the process of municipalization had been going on since colonial times, this did not always eliminate the *caciques'* influence over local affairs. *Caciques* in Huajuapán in particular continued to hold high political offices in local communities through the first half of the 19<sup>th</sup> century, and their control over land gave them enormous power. The *síndico* of Tepelmeme, Blas Cruz, when he found out that the Pacheco family was attempting to assert rights to former *cacicazgo* property, wrote that the *cacicazgo*, was "the scourge of our race that has caused so many misfortunes to the pueblos of the Mixteca" (Actas Relativas 1906: 19). In the bitter dispute between the people of Acaquizapán and their *cacica* María Josefa Jiménez, a lawyer from the city of Puebla named Pedro Antonio Villareal, hired by Acaquizapán called the Jimenezes in 1833 "aristocratic tyrants" who had subverted the democratic republic of Anahuac. He also compared them to *ecomenderos* and Spanish colonizers who kept their subjects in a state of vassalage, treating them as if they were beasts of burden. Although his letter stands out for its shrillness (he also called *caciques* "drunks," "pirates," "criminals" and "confidence men")<sup>21</sup> the idea that the *caciques* were unfortunate holdovers from an earlier, and more backward era, shows up a number of times in the context of disputes where people in the Mixteca complain about being caught in feudal relationships. The town officials of Acaquizapán, although not as insulting as Villareal, do use some of the same language in their complaints.<sup>22</sup> They clearly state that the *cacicazgo* was part of an institutional order whose time has come and gone and the new era was one where people would live in independent communities that controlled their own land. Thus after identifying themselves as little more than 'slaves' the authorities of Francisco Ibarra

20 *Expediente sobre reparto en adjudicación de los terrenos de Tlacotepec*, Aug. 22, 1890 (Archivo Judicial Oaxaca, civil, Juxtlahuaca, paquete de varios años).

21 Aug. 26, 1833 (Archivo Judicial de Oaxaca, Huajuapán civil, leg. 6 exp. 13).

22 *Tomás Martín et al. to Juez*, Aug. 26, 1833 (Archivo Judicial de Oaxaca, Huajuapán, civil, leg. 6 exp. 13), see also Archivo del Estado de Oaxaca, Repartos y Adjudicaciones, leg. 12, exp. 6, where in 1869 the people of Cuyotepeji relate progress to the dissolution of *cacicazgo* lands.

Ramos ask: “How can a pueblo be grand and free when it has to kneel to serve the *cacique*-owner so that he will give them a piece of land, attending him with a thousand services [...]?”<sup>23</sup>

Finally, we see a local modernity materialized. Not only did people in Huajuapán and Silacayoapan begin building new churches, preferably with stone rather than adobe walls and a vaulted ceiling rather than a thatched roof, but they also began to build things in their towns that had not been seen before. Towns would turn public squares from open green space into paved plazas, with geometrically aligned planters, benches and the like. In more prosperous towns, clock towers were built, with all the implications that modernistic measurement of time brings with it. A surprising number of towns built bandstands. This was the period when the famous Oaxacan orchestras became established, which would sometimes play in the kiosks on the public squares. The brass instruments for the orchestras represented another significant investment, and the polkas they boomed out contrasted sharply with the light airs traditionally played on fiddles and flutes, giving modernity, not only a new look, but its own sound.

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